

ITEM 9-A

CITY OF ALAMEDA

Memorandum

To: HONORABLE PRESIDENT AND MEMBERS OF THE
PLANNING BOARD

From: Laura Ajello
Planner II

Date: January 9, 2012

Re: A use permit to operate a tattoo business within an existing 2-story commercial building. The proposed business will serve customers by appointment and walk-in service daily from noon to 10 p.m. with five employees per shift. Retail sales will be limited to jewelry and store branded fashion accessories.

BACKGROUND

The subject site is zoned C-C, Community Commercial Zone and also has a C-C General Plan designation. Community-Commercial zoning regulations were updated in 2011; changes included a less restrictive stance on tattoo use. Previously, tattoo use was only permitted as an accessory use with not more than 2% of floor area devoted to this use. Currently, tattoo use on the ground floor requires a conditional use permit but is permitted on the second floor on Webster Street. The regulations differ for Park Street where this use is not permitted on the ground floor but is permitted on the second floor. These zoning changes are based on input from both the Park Street and West Alameda business associations.

Previous restrictions reduced tattoo use in Alameda to one long running business, Ricky Tattoo Studio at 1543 Webster Street. After the regulations were revised, a second small tattoo business opened in the Webster Street area. Alameda Tattoo at 650 Haight Avenue was approved on February 1, 2011 (Zoning Administrator Use Permit PLN10-0383) for a 348 square foot appointment only tattoo business with a maximum of two employees per shift.

PROPOSED USE

O'Connell Volvo (UP-91-1, automotive sales and repair use approved in 1992) currently occupies this site on the ground floor. The automotive repair business will continue to operate in the rear section of the ground floor; sales of vehicles will be discontinued.



Subject Property: 1537 Webster

In January 2009 the applicant opened his first Inkies tattoo studio in Fremont. It is described in the Fremont Planning Commission staff report as a “high-end” custom “tattoo salon.” The proposed Webster Street location is a similar size, offers comparable retail merchandise, and the same hours of operation, daily from noon to 10 PM.

Inkies Tattoo Studio offers custom tattoo work and specializes in Asian, Americana and Polynesian art. Per the applicant, it is the goal of the business to break the negative stereotype of the tattoo parlor and offer an inviting salon-like atmosphere. They also offer body piecing. Retail sales will be limited to merchandise related to the tattoo and piecing services, such as jewelry and Inkies branded t-shirts and hats. According to the applicant they expect 20 customers per day and appointments range between 30 minutes to a couple of hours depending on the complexity of the artwork.

PARKING

Pursuant to AMC § 30-7.2(d), when making a finding for the approval of a use permit for any change in use in an existing building, the Planning Board may require that additional newly created parking be provided on- or off-site or that measures be imposed to reduce parking demand in accordance with AMC subsection 30-7.13.



Subject Site (highlighted in green) and Proximity to Parking (in blue)

The proposed use will occupy the 1,200 square foot portion of the ground floor previously used for automotive sales as well as an additional 300 sq ft on the second floor. The use will be served by two off-street parking spaces at the rear of the building. Tattoo use has been determined by the Community Development Director to be similar to professional office use, which requires 2.5 parking spaces per 1,000 square feet in the C-C district. Should the Planning Board determine that additional parking is required, 2 additional parking spaces would be required using this standard.

However, like most sites within the C-C district, creating new off-street parking is not possible. Metered on-street parking exists within walking distance of the proposed business, including a City owned metered parking lot on Haight Avenue. Based on site visits to this parking lot on numerous times and dates, staff believes

that this lot has the capacity to accommodate the two parking spaces not present on the project site. Staff also notes that seven lines of AC Transit Bus Lines serve Webster Street.

FINDINGS

- 1. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.**

The proposed tattoo studio use, as conditioned, will occupy an approximately 1,500 square foot portion of an existing commercial space. It will be low-intensity in use, as no more than eight clients would be served at a time. The proposed space is on a commercially zoned (C-C) parcel formerly used for automobile sales. The properties to the north, south, and east are zoned C-C as well. The properties to the west are zoned R-4. The proposed use is not projected to create large amount of noise, light, or waste. No change to the building façade other than signage is proposed. All signage will be subject to a sign and building permits under a separate review.

- 2. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.**

The proposed site is along the Webster Street commercial corridor. The General Plan designates Webster Street as a Primary Transit street and it has seven bus lines providing both local, trans-bay, and night service. Webster Street is also classified as a Commercial Main street supporting pedestrian-oriented retail. Bicycle racks are located throughout Webster Street including one in front of each building on either side of the subject site. The site has two off-street parking spaces for use by employees of this tenant space. Like most sites developed within the C-C district no increase of off-street parking is possible. A City owned public parking lot is located approximately 400 feet away on Haight Avenue.

- 3. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have deleterious effects on existing business districts or the local economy.**

The proposed tattoo studio use as conditioned, will be a combination of retail sales and personal services that fits within the pedestrian oriented commercial uses that make up the Webster Street district. It is an established Fremont-based business with an existing client base. It will have a total of eight tattoo stations and limited retail sales of jewelry and Inkies-branded fashion accessories, will be a low-intensity use that provides a professional service. It will not create a public nuisance.

- 4. The proposed use relates favorably to the General Plan.**

The Community Commercial designation includes uses such as, “include small retail stores, department stores, motels, automobile sales and service, and offices, depending on location.” The proposed tattoo studio with limited retail use will provide a low intensity use consistent with the General Plan designation for Webster Street corridor and guiding policies 2.5.b (to revitalize Main Street business districts) and 2.5.d (to continue to support and promote Webster Street as the shopping, dining, entertainment, and community service center for present and future residents west of the West End) and 2.5.i (to support, encourage and foster new retail development to serve the West End of Alameda).

ENVIRONMENTAL REVIEW

This project is Categorically Exempt from environmental review, pursuant to the CEQA Guidelines Section 15301 – Existing Facilities, in that the proposed use approves a change of use from automotive sales to tattoo to an existing approximate 1,500 square foot portion of the structure with minimal changes to the existing structure.

PUBLIC NOTICE

A notice for this hearing was mailed to property owners and residents within 300 feet of this site, published in the Alameda Journal and posted at the subject property. Staff received one verbal comment as of December 19, 2011. The owner of the Neptune Palace Hotel at 1546 Webster Street is opposed to the use permit and believes that not enough parking is provided. The West Alameda Business Association has conducted a member survey and will present the results to the Planning Board.

RECOMMENDATION

Approve a Use Permit, PLN11-0372, to allow tattoo use on the ground floor of a Webster Street business within the C-C, Community Commercial Zoning District and find the project Categorically Exempt from CEQA.

Respectfully submitted,

Laura Ajello
Planner II

Attachments:

1. Draft Resolution
2. Applicant's supplemental information
3. Public Comment